UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF TENNESSEE
AT KNOXVILLE

UNITED STATES OF AMERICA,   )
)
                Plaintiff,   )
)
v.   )   No. 3:07-CR-134
)   (Varlan / Guyton)
DAVID ROUSE,   )
)
                Defendant.   )

MEMORANDUM AND ORDER

This matter came before the Court upon a Petition for Action on Condition of Pretrial

Release [Doc. 67] as to Defendant David Rouse. This Court had previously Ordered Mr. Rouse's

release pending trial, subject to certain conditions as set forth in the Order Setting Conditions of

Release [Doc. 37]. At the time of the Pretrial Conference on April 11, 2008, Mr. Rouse was present

with his attorney, Wade Davies. The government was represented by Assistant United States

Attorney Tracee Plowell who participated by telephone.

The government moved for Mr. Rouse's detention pending trial for the reasons set forth in

the Petition. Mr. Rouse stipulated that the facts set forth in the Petition were accurate, and based

thereon, the Court finds that the defendant Rouse has violated the terms of the Order Setting

Conditions of Release [Doc. 37] by using morphine and marijuana. The Court further finds that this

violation requires the detention of defendant Rouse.

It is therefore **ORDERED** that defendant David Rouse be detained. Defendant will be

committed to the custody of the Attorney General or his designated representative for confinement

in a correction facility separate to the extent practicable from persons awaiting sentencing or serving

sentences or being held in custody pending appeal. Defendant shall be afforded a reasonable

opportunity for private consultation with defense counsel. Upon order of this Court or a Court of

the United States or upon request of the attorney for the government, the person in charge of the

corrections facility shall deliver Defendant to the United States Marshals for the purpose of an

appearance in connection with a Court proceeding.

The defendant Rouse shall have the right to move for a detention hearing.

IT IS SO ORDERED.

ENTER:

     s/ H. Bruce Guyton
United States Magistrate Judge